

Permit Center
2263 Santa Clara Ave. Room 190, Alameda, CA 94501
Hours: 7:30 a.m.–3:30 p.m., M–Th
www.alamedaca.gov/permits
Permits@alamedaca.gov

June 2020

Beginning in March of 2020 the Alameda County Health Department ordered County residents to shelter in place and implement social distancing to reduce the rate of transmission of the Novel Coronavirus Disease (COVID-19). In an effort to promote the reopening and survival of many local businesses during these extraordinary times, The City of Alameda has modified the requirements and streamlined the review and approval process for sidewalk usage. These changes will be reviewed and potentially further modified, potentially rescinded, or revoked in response to changing social distancing requirements.

1. The following guidelines will extend at least until November 3, 2020. If County social distancing requirements are relaxed after that, the permittee may request modifications to an issued permit. The Public Works Director (or designee), at his/her sole discretion, may extend, amend, or revoke the permit at any time.
2. Sidewalk Dining:
 - a. Definition: Sidewalk Dining is defined as any group of tables, chairs, and/or benches, and accessory devices, situated and maintained upon the public sidewalk for use in connection with the consumption of food and beverages sold to the public from or in adjoining indoor food serving establishment.
 - b. Sidewalk dining is allowed by district-wide encroachment permit in the DABA and WABA business districts. Please refer to their encroachment permit, guidelines and conditions for further details.
 - c. Sidewalk dining is by individual encroachment permit as space allows, using these guidelines, in all other commercial zones. Sidewalk dining is not allowed in areas not zoned commercial.
 - d. Encroachment beyond the frontage of the permittee's business is subject to proof of concurrence with the adjacent business.
 - e. Sidewalk Clearances: Sidewalk Dining may be permitted only where the sidewalk is wide enough to adequately accommodate both the usual pedestrian traffic in the area and the operation of the proposed seating. During this period of required social distancing, six (6) consecutive feet of sidewalk width at every point shall be kept clear and unimpeded for pedestrian traffic.
 - f. Tables, seating and accessory devices shall not block access to trash cans, parking meters, newspaper racks, or other items in the public right-of-way and shall not be situated within eight feet of any designated bus stop.
 - g. Sidewalk dining is permitted, as space allows, against the building. In locations where there is neither parking nor loading/unloading at the curb, sidewalk dining may be situated against the curb instead of against the building. Neither furniture nor accessory devices shall be placed in front of any door used for entrance or exiting of the building.

- h. All outdoor dining furniture and accessory devices shall be movable. Allowable accessory devices include umbrellas, planters, sandwich board signs, lighting, and heating. Said furniture and devices shall be arranged to adequately accommodate persons with disabilities including the visually impaired. Umbrellas must be secured with a minimum base of not less than 60 pounds. Outdoor music or speakers are prohibited. Outdoor heaters are allowed with the appropriate fire, building, and safety requirements. Fencing, vertical shades, and windbreaks are not allowed.
- i. The outdoor preparation of food is prohibited at sidewalk dining areas. The presetting of tables with utensils, glasses, napkins, condiments, and the like is prohibited. All exterior surfaces within the sidewalk dining area shall be easily cleanable and shall be kept clean at all times by the permittee.
- j. If adjoining food server is a restaurant, restrooms for the sidewalk dining customers shall be provided in the adjoining indoor restaurant.
- k. Covered trash and refuse storage for sidewalk dining must be provided and the permittee shall remove all trash and litter as they accumulate. The permittee is responsible for maintaining the outdoor dining area, including the sidewalk surface and furniture and adjacent areas, in a clean and safe condition.
- l. Sidewalk dining shall not open before 7:00 a.m. nor remain open past 10:00 p.m., Sunday through Thursday nights, and 12 midnight, Friday and Saturday nights. The hours of operation of sidewalk dining, including set up and cleaning, shall not extend beyond the approved hours of the adjoining indoor food serving establishment. Furniture and accessory devices used in the operation of the outdoor dining shall be removed from the sidewalk and stored indoors whenever sidewalk dining is not in operation.
- m. If the sidewalk dining operates during hours of darkness, adequate lighting shall be provided so that the furniture does not become an obstacle to pedestrians.
- n. The City shall have the right and power, acting through the Public Works Director or his/her designee, to prohibit the operation of sidewalk dining at any time because of anticipated or actual problems or conflicts may arise from, but are not limited to, scheduled festivals and similar events, or parades or marches, or repairs to the street or sidewalk, or from demonstrations or emergencies occurring in the area. To the extent possible, the permittee shall be given prior written notice of any time period during which the City will prohibit the operation of sidewalk dining, but any failure to give prior written notice shall not affect the right and power of the City to prohibit the sidewalk dining operation at any particular time.

3. Sidewalk Retail:

- a. Definition: Sidewalk Retail includes the use of the sidewalk for the presentation and sale of merchandise. All sidewalk retail must be associated with an immediately adjacent or nearby retail storefront. Use of space in front of adjoining storefronts is permitted, subject to approval by the adjoining business owner.
- b. AMC 22-21.5 allows without need of encroachment permit:
 - i. Use of the sidewalk for display of wares in the first 2.5 feet from the business property line (usually the building face)
 - ii. Unloading and loading within 3 feet of the curb, and
 - iii. Portable free-standing signs.
- c. A wider retail use of the sidewalk is allowed by district-wide encroachment permit in the DABA and WABA business districts. Please refer to their encroachment permit, guidelines and conditions for further details.

- d. During this period of time requiring County-mandated social distancing, 6 feet of clear sidewalk must be maintained at all times, superseding this City code.
- e. Businesses requesting to use more of the sidewalk than is allowed under AMC 22-21.5, or the District-wide encroachment permits (if applicable), who have adequate space for social distancing, may apply for an individual encroachment permit.
- f. All curbside retail must be removed from the sidewalk and stored indoors whenever the associated storefront retail is not in operation.
- g. Six (6) consecutive feet of sidewalk width at every point shall be kept clear and unimpeded for pedestrian traffic. Merchandise or use of the sidewalk by vendors or shoppers shall not encroach on the minimum clear sidewalk space.
- h. Persons distributing merchandise of any kind, including food and beverage, shall provide adequate disposal containers, and frequent enough removal of their contents, to enable patrons to deposit all waste material generated by their products.